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National Oceanic and Atmospheric Administration  
U.S. Department of Commerce  
No FEAR Act EEO Complaint Data

This is a report of No FEAR ACT data.

- [Interim EEOC Rule](#)
- [Information on the No FEAR Act](#)
- [No Fear Act Data on the EEOC website \(includes information on EEOC Hearing and Appeals processing\)](#)

Data last updated: April 6, 2009

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#### 1. Complaint Activity

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q, 2009
Number of complaints Filed	35	40	36	32	36	40	53	51	11
Number of complaints Pending any time in the FY	32	38	36	32	35	38	51	49	11
Repeat Filers	2	2	0	0	1	2	2	2	0

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#### 2. Complaints By Basis

Note: complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q, 2009
Race	16	20	18	12	9	16	20	10	6
Color	4	2	5	3	1	7	8	3	0
Religion	3	3	5	1	5	2	0	0	0
Reprisal	16	20	12	15	18	20	33	28	5
Sex	10	9	9	8	11	9	12	10	2
National Origin	5	5	3	3	3	4	5	3	2
Equal Pay Act	0	0	0	1	0	0	1	3	0
Age	9	13	14	10	17	14	20	27	3
Disability	8	5	9	10	1	12	14	18	4
Non-EEO	0	0	0	0	0	0	0	1	0

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#### 3. Complaints By Issues

Note: complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q, 2009
Appointments/Hire	2	0	1	0	1	0	4	3	1
Assignment of Duties	2	7	6	4	10	11	13	7	0
Awards	3	2	3	2	2	2	7	5	0
Conversion to Full Time	0	0	0	0	0	0	0	0	0
Discipline: Demotion	1	2	0	0	0	1	0	0	0
Discipline: Reprimand	1	1	2	1	3	1	2	3	0
Discipline: Removal	0	0	0	0	0	0	0	0	0
Discipline: Suspension	3	1	1	0	1	2	2	1	0
Discipline: Other	0	0	3	0	0	0	0	1	0

Duty Hours	0	0	0	1	0	0	0	0	0
Evaluation/Appraisal	4	4	1	0	5	8	15	11	5
Examination/Test	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	9	13	13	9	18	18	29	32	5
Harassment: Sexual	0	1	0	1	0	1	1	2	0
Medical Examination	0	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	1	0	0	0	0	3	3	0
Promotion/Non-selection	9	17	14	12	7	13	19	11	2
Reassignment: Denied	0	1	1	0	1	0	1	3	1
Reassignment: Directed	0	0	1	0	2	3	1	1	1
Reasonable Accommodation	4	2	5	4	3	7	5	11	0
Reinstatement	0	0	1	0	0	0	0	0	0
Retirement	0	0	1	0	0	0	3	1	0
Termination	2	2	1	3	2	7	6	3	0
Terms/Conditions of Employment	5	2	1	1	12	8	3	2	0
Time and Attendance	1	0	6	4	5	10	13	12	4
Training	5	4	3	4	3	3	6	2	1
Other	10	0	3	3	0	0	4	6	0

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4. Processing Time

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Complaints pending during fiscal year									
Average number of days in investigation stage	165	73	104	137	157	135	107	116	111
Average number of days in final action stage	n/a	n/a	n/a	n/a	n/a	298	95	71	58
Complaint pending during fiscal year where hearing was requested									
Average number of days in investigation stage	172	75	101	125	142	146	121	125	123
Average number of days in final action stage	n/a	n/a	n/a	n/a	n/a	14	13	7	13
Complaint pending during fiscal year where hearing was not requested									
Average number of days in investigation stage	160	54	45	193	179	138	104	114	127
Average number of days in final action stage	n/a	n/a	n/a	n/a	n/a	316	122	74	104

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5. Complaints Dismissed by agency/ Withdrawn by complainants

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Total Complaints Dismissed By Agency	3	7	7	11	7	10	10	12	0
Average Days Pending Prior to Dismissal	136	150	96	105	94	120	59	57	0
Total Complaints Withdrawn by Complainants	5	9	6	2	7	3	3	3	1

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6. Total final Actions Finding Discrimination

	FY 2001: Number	FY 2001: Percent	FY 2002: Number	FY 2002: Percent	FY 2003: Number	FY 2003: Percent	FY 2004: Number	FY 2004: Percent	FY 2005: Number	FY 2005: Percent	FY 2006: Number	FY 2006: Percent	FY 2007: Number	FY 2007: Percent	FY 2008: Number	FY 2008: Percent	1st Q 2009: Number	1st Q 2009: Percent
Total Number Findings	1	100	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0

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**7. Findings of Discrimination Rendered By Basis**

Note: complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

	FY 2001: Number	FY 2001: Percent	FY 2002: Number	FY 2002: Percent	FY 2003: Number	FY 2003: Percent	FY 2004: Number	FY 2004: Percent	FY 2005: Number	FY 2005: Percent	FY 2006-9/30: Number	FY 2006-9/30: Percent	FY 2007: Number	FY 2007: Percent	FY 2008: Number	FY 2008: Percent	1st Q 2009: Number	1st Q 2009: Percent
Total Number Findings	1	100	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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**8 . Findings of Discrimination Rendered by Issue**

	FY 2001: Number	FY 2001: Percent	FY 2002: Number	FY 2002: Percent	FY 2003: Number	FY 2003: Percent	FY 2004: Number	FY 2004: Percent	FY 2005: Number	FY 2005: Percent	FY 2006: Number	FY 2006: Percent	FY 2007: Number	FY 2007: Percent	FY 2008: Number	FY 2008: Percent	1st Q 2009: Number	1st Q 2009: Percent
Total Number Findings	1	100	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including overtime)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Promotion/Non-selection	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including overtime)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including overtime)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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9. Pending Complaints Filed in Previous Fiscal Years by Status

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Total Complaints from previous Fiscal years	n/a	n/a	n/a	n/a	n/a	39	21	23	52
Total Complainants	n/a	n/a	n/a	n/a	n/a	37	17	22	47
Number complaints pending									
Investigation	n/a	n/a	n/a	n/a	n/a	0	0	0	5
Hearing	n/a	n/a	n/a	n/a	n/a	8	13	13	24
Final Action	n/a	n/a	n/a	n/a	n/a	8	2	3	15
Appeal with EEOC Office of Federal Operations	n/a	n/a	n/a	n/a	n/a	12	6	7	8

10. Complaint Investigations

	2001	2002	2003	2004	2005	2006	2007	2008	1st Q. 2009
Pending Complaints Where Investigation Exceeds Required Time Frames	16	16	18	18	45	17	0	2	0

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